

## **REMARKS**

### **INTRODUCTION**

In accordance with the foregoing, claims 34 and 37 have been amended. No new matter is being presented, and approval and entry are respectfully requested. Therefore, claims 1, 34-39, 41, 43 and 44 are pending and under consideration. Reconsideration is respectfully requested.

### **OBJECTIONS TO THE CLAIMS**

In the Office Action, at page 2, claim 37 was objected to. Accordingly, claim 37 has been amended. Applicant therefore requests that the objection be withdrawn.

### **REJECTION UNDER 35 U.S.C. §112**

In the Office Action, at page 2, claim 34 was rejected under 35 U.S.C. §112, second paragraph. According to the Office Action, "said plurality of optical path reflecting means" in lines 3-4 and "said optical reflecting members" in lines 4-5 have insufficient antecedent bases. Regarding the first phrase, applicants note that no such phrase is present in lines 3-4. Regarding the second phrase, applicants note that claim 34 has been amended. Therefore, it is requested that the rejection be withdrawn.

### **REJECTION UNDER 35 U.S.C. §102**

In the Office Action, at page 3, claims 1, 34-39 and 43 were rejected under 35 U.S.C. §102(e) as anticipated by Golub (U.S. Patent No. 6,694,073). However, applicants note that Golub is not prior art under 35 U.S.C. §102(e) because Golub refers to a provisional application filed on April 13, 2001 whereas the claimed invention claims priority to March 2, 2001. Therefore, the claimed invention predates the reference to Golub, and thus, these rejections are traversed and reconsideration is requested.

### **REJECTION UNDER 35 U.S.C. §103**

In the Office Action, at page 4, claims 41 and 44 were rejected under 35 U.S.C. §103 as unpatentable over Golub. However, these rejections are believed to be overcome for the same reasons as noted above.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

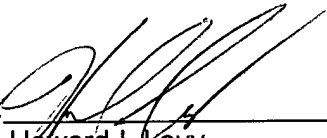
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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